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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,477	02/25/2004	Reinhold Fuessinger	080404.53105US	1788
23911	7590	03/08/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			PECHHOLD, ALEXANDRA K	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/785,477

Applicant(s)

FUESSINGER ET AL.

Examiner

Alexandra K Pechhold

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5 and 7 is/are rejected.
- 7) ☒ Claim(s) 2,4,6,8-14,18-20 and 22-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-14, 18-20, and 22-24 are objected to because of the following informalities:

- the claims that say "Cancel." should have the proper status identifier, which is "(Canceled)",
- the claims were not properly edited in the amendment to indicate the removed and added limitations,
- claim 2 refers to "the bridge floor structure" which lacks antecedent basis; the Examiner advises adding the limitation of "a floor structure" to claim 1 as well as the other independent claims since it is an integral part of such a structure,
- the recitation of "mutually identical constructions" in claim 1 is confusing, since it is unclear which parts are mutually identical, and what "mutually" exactly means,
- the independent claims 1, 18, 19, and 24 refer to "end pieces" which is confusing since it appears that each module has end pieces but the exterior end pieces of the outermost modules are different than all of the other end pieces; applicant should clarify each module's inner and outer end piece which differs from the extreme outermost end pieces of the entire bridge, since the claim language is vague and confusing,

- claim 2 is confusing, particularly the phrase “lengthened toward the outside”, and should be rewritten,
- the claims that contain the recitation “such as” should be rewritten to remove this language which is confusing since it is unclear if the applicant is claiming this limitation or not.

Appropriate corrections are required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 3, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lotto et al (US 4,017,932).**

Regarding claim 1, Lotto discloses a dismountable bridge having two track carrier members, seen as lower bridles (2), divided into several identical modules as seen in Fig. 1,

- the two track carriers each being spanned by and being suspended at a vault, seen as upper bridles (1),
- the vaults being divided into several modules in the longitudinal direction of the bridge and adapted in their division to the division of track carriers as seen in Fig. 1,

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- the vaults and track carriers being equipped at their ends with end pieces, seen as the joints between adjacent bridles,
- wherein the modules of the vaults have mutually identical constructions, as seen in Fig. 1, and
- wherein the end pieces of the vaults are connected in a torque-resistant manner with end pieces of the respective track carriers, since the diagonals (3) create torque-resistance,
- wherein the end pieces are constructed such that they are capable of compensating the length differences between the track carriers and the vaults in the case of different bridge lengths.

Regarding claim 3, the bridges (1) can be viewed as girders.

Regarding claims 5 and 7, tension members can be viewed as the diagonals (3).

#### ***Allowable Subject Matter***

4. Claims 2, 4, 6, 8-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, as well as correct the claim objections noted above.

5. Claims 18-20 and 22-24 would be allowable if rewritten or amended to overcome the claim objections set forth in this Office action as noted above.

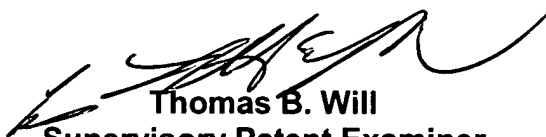
***Response to Arguments***

6. The previously indicated allowable subject matter in the claims (from the 10/19/04 Office Action) is withdrawn in view of the application of the Lotto et al (US 4,017,932) reference to reject some of those previously allowable claims. Rejections based on the reference are detailed above. Some of the claims do contain allowable subject matter now, but the applicant needs to also address all of the claim objections noted above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandra Pechhold whose telephone number is (703) 305-0870. The examiner can normally be reached on Mon-Thurs. from 8:00am to 5:30pm and alternating Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703)308-3870. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

  
Thomas B. Will  
Supervisory Patent Examiner  
Group 3600

AKP  
2/23/05